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B1 (Official	Form 1)(1/	08)				oannon		.go <u> </u>					
			United No			ruptcy of Illino					Vol	untary	Petition
Name of Debtor (if individual, enter Last, First, Middle): James, Kelly M.				Name	of Joint Do	ebtor (Spouse	e) (Last, First	, Middle):					
(include ma	Tames used burried, maide	n, and trade	or in the last e names):	8 years			All O (inclu	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):					
Last four di (if more than	one, state all)	Sec. or Indi	ividual-Taxp	ayer I.D. (ITIN) No./	Complete E	IN Last f	our digits ore than one, s		r Individual-′	Taxpayer I.I	D. (ITIN) No	o./Complete EIN
10 East Unit 10	Ontario 10	or (No. and	Street, City,	and State)	i.	7ID C- 1-		Address of	f Joint Debtor	(No. and St	reet, City, a	nd State):	ZID C. J.
County of B		of the Prin	cipal Place o	f Rusines		ZIP Code 60611		y of Reside	ence or of the	Principal Pl	ace of Rusi	ness.	ZIP Code
Cook	xesidence of	or the 11m	cipai i iace o	I Dusines.			Count	y of Reside	nice of of the	i imcipai i i	acc of Bush	iicss.	
Mailing Ad	dress of Deb	otor (if diffe	erent from str	eet addres	ss):		Mailii	ng Address	of Joint Debt	tor (if differe	nt from stre	et address):	
					Г	ZIP Code							ZIP Code
	Principal A from street		siness Debtor	:			I						
Type of Debtor (Form of Organization) (Check one box) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Nature of Business (Check one box) Health Care Business Single Asset Real Estate as de in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank				☐ Chapt☐	the 1 ter 7 ter 9 ter 11 ter 12	of C	hapter 15 Po a Foreign I hapter 15 Po		ecognition eding ecognition				
☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.) ☐ Other ☐ Tax-Exempt Entity (Check box, if applicable) ☐ Debtor is a tax-exempt organi under Title 26 of the United S Code (the Internal Revenue C			e) anization d States	defined "incuri	are primarily co d in 11 U.S.C. § red by an indivi onal, family, or	(Check consumer debts, § 101(8) as idual primarily	for		are primarily ess debts.				
■ Full Fili	ing Fee attac	_	ee (Check or	ne box)				one box: Debtor is	a small busin	Chapter 11 ness debtor as		11 U.S.C. §	101(51D).
□ Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. □ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. □ A plan is being filed with this petition. □ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 101(511) Check if: □ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(511) Check if: □ Debtor's aggregate noncontingent liquidated debts (excluding debts ow to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: □ A plan is being filed with this petition. □ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).					ing debts owed								
Statistical/Administrative Information ☐ Debtor estimates that funds will be available for distribution to unsecured creditors. ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.													
Estimated N	Number of C 50- 99	reditors 100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000				
Estimated A \$0 to \$50,000	Assets \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					
Estimated L \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					

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B1 (Official For	rm 1)(1/08)	Page 2 01 10	Page 2			
Voluntar	y Petition	Name of Debtor(s): James, Kelly M.				
(This page mı	ust be completed and filed in every case)	James, Keny W.				
1 0	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two, atta	ach additional sheet)			
Location Where Filed:	- None -	Case Number:	Date Filed:			
Location Where Filed:		Case Number:	Date Filed:			
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If mor	re than one, attach additional sheet)			
Name of Debt - None -	tor:	Case Number:	Date Filed:			
District:		Relationship:	Judge:			
	Exhibit A	(To be completed if debter is an ind	Exhibit B lividual whose debts are primarily consumer debts.)			
forms 10K a pursuant to s and is reque	pleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 esting relief under chapter 11.) A is attached and made a part of this petition.	I, the attorney for the petitioner have informed the petitioner that 12, or 13 of title 11, United State	named in the foregoing petition, declare that I it [he or she] may proceed under chapter 7, 11, es Code, and have explained the relief available er certify that I delivered to the debtor the notice August 8, 2008 btor(s) (Date)			
		nibit C	110020			
☐ Yes, and ■ No.		nibit D	· · · · · · · · · · · · · · · · · · ·			
_	bleted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	•	tach a separate Exhibit D.)			
If this is a join		a part of this pention.				
_	D also completed and signed by the joint debtor is attached a	and made a part of this petition.				
	Information Regardin	=				
	(Check any ap	· -	Locate in this District for 180			
Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.						
☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.						
	Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.					
	Certification by a Debtor Who Reside		roperty			
	(Check all app Landlord has a judgment against the debtor for possession		ecked, complete the following.)			
	(Name of landlord that obtained judgment)					
	(Address of landlord)					
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment					
	Debtor has included in this petition the deposit with the coafter the filing of the petition.	ourt of any rent that would becon	ne due during the 30-day period			
l 🗆	Debtor certifies that he/she has served the Landlord with the	his certification, (11 U.S.C. § 36	(2(1)).			

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Voluntary Petition

(This page must be completed and filed in every case)

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

▼ /s/ Kelly M. James

Signature of Debtor Kelly M. James

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

August 8, 2008

Date

Signature of Attorney*

X /s/ Monica C. O'Brien

Signature of Attorney for Debtor(s)

Monica C. O'Brien 6216626

Printed Name of Attorney for Debtor(s)

Gregory K. Stern, P.C.

Firm Name

53 West Jackson Boulevard **Suite 1442** Chicago, IL 60604

Address

(312) 427-1558 Fax: (312) 427-1289

Telephone Number

August 8, 2008

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Name of Debtor(s): James, Kelly M.

	atures	

Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

T

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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Official Form 1, Exhibit D (10/06)

United States Bankruptcy Court Northern District of Illinois

In re	Kelly M. James		Case No.	
		Debtor(s)	Chapter	13

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.] ____

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

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Official Form 1, Exh. D (10/06) - Cont.

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling
in 3. The Officed States trustee of Dankrupicy administrator has determined that the credit counseling

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor:	/s/ Kelly M. James	
_	Kelly M. James	
Date: August 8, 2008		

requirement of 11 U.S.C. § 109(h) does not apply in this district.

Case 08-20741 Doc 1 Filed 08/08/08 Entered 08/08/08 11:08:51 Desc Main Document Page 6 of 10 United States Bankruptcy Court Northern District of Illinois

In re	Kelly M. James		Case No.	
		Debtor(s)	Chapter	13
	DISCLOSURE OF COMPE	ENSATION OF ATTOI	RNEY FOR DE	EBTOR(S)
C	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy R compensation paid to me within one year before the file rendered on behalf of the debtor(s) in contemplation	ule 2016(b), I certify that I a ling of the petition in bankruptcy	m the attorney for y, or agreed to be pai	the above-named debtor and that d to me, for services rendered or to
	For legal services, I have agreed to accept		\$	3,500.00
	Prior to the filing of this statement I have received		\$	0.00
	Balance Due		\$	3,500.00
2. T	The source of the compensation paid to me was:			
	■ Debtor □ Other (specify):			
3. T	The source of compensation to be paid to me is:			
	■ Debtor □ Other (specify):			
4. I	■ I have not agreed to share the above-disclosed com	pensation with any other person	unless they are mem	bers and associates of my law firm.
[☐ I have agreed to share the above-disclosed compensopy of the agreement, together with a list of the na			
a. b c.	n return for the above-disclosed fee, I have agreed to real. Analysis of the debtor's financial situation, and rend preparation and filing of any petition, schedules, state. Representation of the debtor at the meeting of credit [Other provisions as needed] Negotiating, preparing and filing reaffirma motions and applications as needed inclu	dering advice to the debtor in det atement of affairs and plan which tors and confirmation hearing, an ation and redemption agreeme	ermining whether to a may be required; and any adjourned hea ents with secured c	file a petition in bankruptcy; urings thereof; reditors, exemption planning,
6. B	By agreement with the debtor(s), the above-disclosed for Representation of debtor(s) in any motion other adversary proceeding. Services reno	to dismiss for abuse, dischar	rgability actions, ob	
		CERTIFICATION		
	certify that the foregoing is a complete statement of an ankruptcy proceeding.	ny agreement or arrangement for	payment to me for re	epresentation of the debtor(s) in
Dated:	: August 8, 2008	/s/ Monica C. O'Br		
		Monica C. O'Brien Gregory K. Stern, 53 West Jackson Suite 1442 Chicago, IL 60604	P.C. Boulevard	

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

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B 201 (04/09/06)

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

Certificate of Attorney

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Monica C. O'Brien 6216626	X /s/ Monica C. O'Brien	August 8, 2008
Printed Name of Attorney	Signature of Attorney	Date
Address:		
53 West Jackson Boulevard		
Suite 1442		
Chicago, IL 60604		
(312) 427-1558		
I (We), the debtor(s), affirm that I (we) h	Certificate of Debtor have received and read this notice.	
Kelly M. James	X /s/ Kelly M. James	August 8, 2008
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X	
	Signature of Joint Debtor (if any)	Date

America's Servicing Company 7495 New Horizon Way Frederick, MD 21703

Citibank (South Dakota) N.A. P.O. Box 6191 Sioux Falls, SD 57117-6191

Citibank Platinum P.O. Box 6000 The Lakes, NV 89163-6000

Codilis & Associates, P.C. 15W030 North Frontage Road Suite 100 Burr Ridge, IL 60527

Countrywide Home Loans P.O. Box 5170 Simi Valley, CA 93093-5170

Exit Realty Group 3925 North Ashland Chicago, IL

Great Lakes - Borrower Services P.O. Box 7860 Madison, WI 53707

Guaranteed Rate, Inc. c/o Charles I. Bachtell 3940 North Ravenswood Chicago, IL 60613

Internal Revenue Service PO Box 21126 Philadelphia, PA 19114

Mortgage Electronic Registration System 1595 Spring Hill Road Suite 310 Vienna, VA 22182

Ontario Place Condominium Assoc. c/o Michael Fish, President 10 East Ontario Chicago, IL 60611